

**Comment on the proposed conservation of *Viverra maculata* Gray, 1830 (currently *Genetta maculata*; Mammalia, Carnivora)**

(Case 3204; see BZN 60: 45–47; 61: 119–122, 257–260)

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1. We considered the comments of Grubb (2004) and Fernandes & Crawford-Cabral (2004) (see BZN 61: 119–122, 257–260) on Case 3204 as fundamentally debating an issue of another nature rather than that concerning the original application. In order to clarify this situation, the purpose of Case 3204 is to conserve (under Article 23.9.5 of the Code) the specific name *Viverra maculata* Gray, 1830 (currently *Genetta maculata*), which is in use for a species of African Genet (a placental carnivore). This name is a junior primary homonym of *Viverra maculata* Kerr, 1792 (currently *Dasyurus maculatus*), which is used for a marsupial mammal; however, the names apply to taxa that have not been considered congeneric since 1899.

2. Grubb (2004) and Fernandes & Crawford-Cabral (2004) debated the validity of the neotype designation for *G. maculata*, an issue that was extensively detailed elsewhere by Gaubert et al. (2003). Indeed, the Commission Secretariat explicitly recommended that, in this case, the designation of a neotype does not require action by the Commission since it is a taxonomic issue relating to *G. maculata*. Thus, the application was received almost without question in the comments of Grubb (2004) and Fernandes & Crawford-Cabral (2004). These authors may have confused nomenclatural and taxonomic considerations.

3. It appears as though Grubb (BZN 61: 119–122) wrongly referred to Case 3204 (p. 121) by stating ‘As an alternative to the proposals in BZN 60: 46, I propose . . . that the holotype of *G. rubiginosa* be set aside and the holotype of *G. letabae* . . . be designated as neotype’. This statement is actually not an alternative to the proposal made in Case 3204 and in fact would not interfere with the action of conserving the species name *maculata* Gray, 1830 as the valid name (not invalid by reason of being a junior primary homonym). Grubb (2004) did not directly address the issue raised in Case 3204. Surprisingly, the author mentioned (p. 120) that *G. maculata* (Gray, 1830) ‘is actually invalid as a junior primary homonym of *V. maculata* Kerr, 1792’, without arguments to support this point of view and without taking into account that the essence of Case 3204 is to refer to Article 23.9.5 of the Code in order to ask for conservation of the name *maculata* Gray, 1830. Nevertheless, Grubb (2004) asked the Commission ‘to place on the Official Index of Rejected and Invalid Specific Names in Zoology the name *maculata* Gray, 1830’.

4. Fernandes & Crawford-Cabral (BZN 61: 257–260) only once raised a point directly related to Case 3204 by doubting that *G. maculata* is ‘in use’ for the

Rusty-spotted genet ('*Viverra maculata* Gray, 1830 has been used so far by only a minority of the authors concerned with the relevant taxa'). I strongly disagree with this assertion and it is noteworthy that Fernandes & Crawford-Cabral (2004) cited Grubb (2004) contrary to his view to justify their statement. Grubb (2004) instead provided a large list of references in which '*G. maculata* was commonly used as a senior synonym of *G. pardina*' (p. 120), which was the case when authors included both *G. pardina* and the Rusty-spotted genet in a broader 'large-spotted genet' taxonomic concept. In addition to previous works, *G. maculata* has been used frequently as the name for the Rusty-spotted genet in recent years (as explicitly delimiting the Rusty-spotted genet: Bronner et al., 2003; Gaubert, 2003; Gaubert et al., 2002, 2004, 2005; and without specification of taxonomic boundaries: Stuart & Stuart, 2003; De Luca & Mpunga, 2005). Two of the most important new taxonomic references for the mammalogist community, which will be published in late 2005–2006 (Wozencraft, in press; Kingdon & Butinsky, in press) use the name *G. maculata* strictly for the Rusty-spotted genet. I thus consider that the name *G. maculata* is and has been commonly used for the Rusty-spotted genet, so Article 23.9.5 of the Code applies.

5. Most of the comments made by Grubb (2004) and Fernandes & Crawford-Cabral (2004) concern the validity of neotype designation for *G. maculata*. This issue is distinct from the purpose of Case 3204 and is therefore not addressed here. However, we would like to state that C.A. Fernandes recently co-authored two papers with the applicants of Case 3204 (P. Gaubert, G. Veron, P.J. Taylor) in which the name *G. maculata* was explicitly used for the Rusty-spotted genet (Gaubert et al., 2004, 2005). Under the usually explicit statement that all the authors of a publication should agree with its content, this raises serious ambiguities about the actual point of view of the author over the use of the name *maculata* Gray, 1830.

6. Fernandes & Crawford-Cabral (2004, p. 259) disagreed with Grubb's proposal to designate the type specimen of *G. letabae* as the neotype of *G. rubiginosa* ('There is a fundamental problem in assigning *maculata* or any other name to the Rusty-spotted genet at the moment'). Our recent taxonomic investigations based on morphology, DNA sequencing and karyotypes (Gaubert et al., 2004, 2005) showed that the type specimen of *G. letabae* Thomas & Schwann, 1906 was indeed needed, following the Principle of Priority, to define a new species of Rusty-spotted genet from southern Africa (in accordance with Crawford-Cabral & Fernandes, 2001).

7. We consider that the comments of Grubb (2004) and Fernandes & Crawford-Cabral (2004) do not provide sensible arguments against the proposals in Case 3204 (i.e. to making available, as valid, the name *maculata* Gray, 1830 under Article 23.9.5 of the Code). The related debate over neotype designation is rather a part of the on-going discussion concerning the taxonomy (i.e. species boundaries) of the Large-spotted genets, and should not interfere with the proposals made in Case 3204.

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